

**RULE 63 (37 C.F.R. 1.63)**  
**DECLARATION AND POWER OF ATTORNEY**  
**FOR PATENT APPLICATION**  
**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

As a below named inventor, I hereby declare that my residence, post office address and citizenship are as stated below next to my name, and I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled A CLOSELY-SPACED VCSEL AND PHOTODETECTOR FOR APPLICATIONS REQUIRING THEIR INDEPENDENT OPERATION, the specification of which (CHECK applicable BOX(ES)).

\_\_\_ is attached hereto.

X was filed on February 1, 1996 as U.S. application Serial No. 08/593,117

\_\_\_ was filed as PCT international application No. PCT/\_\_\_/\_\_\_ on \_\_\_ and (if applicable to U.S. or PCT application) was amended on \_\_\_.

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above. I acknowledge the duty to disclose information which is material to the examination of this application in accordance with 37 C.F.R. 1.56(a) and 35 U.S.C. 102. I hereby claim foreign priority benefits under 35 U.S.C. 119/365 of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date (1) before that of the application on which priority is claimed, or (2) if no priority claimed, before the filing date of this application:

**PRIOR FOREIGN APPLICATION(S)**

**PRIORITY CLAIMED**  
YES NO

Number Country Day/MONTH/Year Filed

I hereby claim the benefit under 35 U.S.C. 120/365 of all United States and PCT international applications listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in such prior applications in the manner provided by the first paragraph of 35 U.S.C. 112, I acknowledge the duty to disclose material information as defined in 37 C.F.R. 1.56(a) which occurred between the filing date of the prior applications and the national or PCT international filing date of this application:

**PRIOR U.S. OR PCT APPLICATION(S)**

Status: patented,  
pending, abandoned

Application Serial No. Day/MONTH/Year

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so make are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

And I hereby appoint IRELL & MANELLA LLP, 1800 Avenue of the Stars, Suite 900, Los Angeles, California 90067, telephone number (310) 277-1010 (to whom all communications are to be directed) and Robert Steinberg, Registration No. 33,144; Bruce D. Kuyper, Registration No. 33,937; Gary Frischling, Registration No. 35,515; Robert Strawbrich, Registration No. 36,692; and Jeffrey L. Blatt, Registration No. 30,244 (all of the same address) individually and collectively my attorneys to transact all business in the Patent and Trademark Office connected therewith and with the resulting patent.

1) INVENTOR'S SIGNATURE Stanley E. Swirhun Date 4/15/96  
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4) INVENTOR'S SIGNATURE \_\_\_\_\_ Date \_\_\_\_\_  
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First MI Family Name Citizenship

Residence \_\_\_\_\_ (State/Foreign Country)  
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## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Vixel Corporation  
 Application No. : 08/803,891  
 Filed : February 21, 1997  
 Title : CLOSELY SPACED VCSEL AND PHOTODETECTOR FOR  
 APPLICATIONS REQUIRING THEIR INDEPENDENT OPERATION

Grp./Div. : 2812  
 Examiner : L. Pham

Docket No. : 33723/DBP/C715

## SUBSTITUTION OF ATTORNEY BY ASSIGNEE

Commissioner of Patents and Trademarks  
 Washington, D.C. 20231

Commissioner:

Cielo Communications, Inc., assignee of the entire interest in and to the above-identified U.S. patent application under an Assignment that was sent for recordal in the U.S. Patent and Trademark Office on January 18, 1999 under separate cover (copy attached herewith), hereby revokes all previous Powers of Attorney and appoints:

R. W. Johnston	(17,968)	Vincent G. Gioia	(19,959)	Robert D. Rowlett	(41,279)
D. Bruce Prout	(20,958)	Edward R. Schwartz	(31,135)	Kathleen M. Olster	(42,052)
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Thomas J. Daly	(32,213)	Syed A. Hasan	(41,057)	Raymond R. Tabandeh	(P-43,945)

all members or associates of or of counsel to the firm CHRISTIE, PARKER & HALE, LLP, telephone (626) 795-9900, as principal attorneys with power to appoint associate attorneys, to prosecute this application and any subsequent application based on the disclosure of this application, and to transact all business in the Patent and Trademark Office connected with this application and any subsequent application.

**THE UNIVERSITY OF CHICAGO**

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